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*Mass.*  
MASSACHUSETTS

*and her*

*Royal Charter*

Granted March 4, 1628-29

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*By*

JULIUS HERBERT TUTTLE

*President of the*

Dedham Historical Society

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*God sifted a whole nation  
that He might send choice  
grain into the Wilderness.*

*Stoughton, Election Sermon, 1663.*

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*Published by the*

MASSACHUSETTS SOCIETY  
of the ORDER of the FOUNDERS  
and PATRIOTS of AMERICA.

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## Massachusetts and her Royal Charter\*



ARCH the fourth, 1628-29, as a founder's day, will be kept ever memorable in our Nation's annals for it signalized the beginning of the permanent foundation of our government and of our American institutions. Generations have come and gone and the process of building through the centuries has developed a National life now a world influence. We cherish the heritage which has made this possible. Grateful recognition of the beginnings in the settlement of Massachusetts Bay will soon be made in the coming ter-centenary celebrations to commemorate the work of the founders.

\*Read at the meeting of the Massachusetts Society of the Founders and Patriots of America on January 24, 1923.





It was in a period of unrest and religious persecution in England that conditions developed to favor the enterprise of the adventurers in New England. Similar attempt at settlement had been made here before by others and failed; but in this new effort these men were able to surmount their difficulties. King Charles I was then in the midst of a great struggle to have his kingly prerogative prevail over the rights of Parliament. The people remonstrated against the abuse of kingly power and other acts of the enemies and traitors to English liberties. While this was going on, and only eight days before Charles prorogued his third Parliament, the last for a decade, the remarkable Royal Charter to the Governor and Company of Massachusetts Bay in New England passed the broad seal of Great Britain on the day first mentioned.

In this group of adventurers, and the influential sponsors of the charter, there were joined the lives of men whose belief and experience as Puritan leaders harked back to the early years of the long and useful reign of the Tudor Queen Elizabeth when the light of Puritanism first shone. She had restored to their livings many ministers who under the persecution of protestants in Queen Mary's reign had fled to Holland and Switzerland, there to fall under the influence of the doctrines of John Calvin. They desired to purify the ritual worship in the Church, and to be allowed their freedom in such worship.

The early translation of the Bible into English, when there was yet no English literature for the common people, furnished to them their first literature of untold richness. "The Matthew's Bible," of 1537, Tyndale and Coverdale's translation, soon became familiar to every English household, and the whole prose literature of England was inspired by its uplifting power. This Hebrew literature, however, held everywhere a leading influence and gave the larger vision to the Puritan outlook. Then came a great awakening in spiritual life; and Puritanism while it became stronger, day by day, made its followers more and more the objects of religious persecution.







TOWARD the end of Queen Elizabeth's reign it is said that the majority of country gentlemen and wealthy merchants in the towns had become Puritans. The new views had made great headway in both Cambridge and Oxford Universities, the former becoming the great Puritan stronghold. In this period of intellectual liberty and revival of letters began the lives of the men who later were the pioneers in the permanent settlements of the new world.

At the beginning of King James' reign, more than seven hundred ministers petitioned to have abolished the use of the surplice, of the cross in baptism, of the ring in marriage and to have other Puritan reforms begun. The only results were the refusal to do these things, and the King's authorization of a new translation of the Bible, the King James' version of 1611, but without his sanction of changes desired by the Puritans. Then came the expulsion of hundreds of ministers from their livings for "nonconformity" with the statutes.

Following the prosperity of Queen Elizabeth's reign, the Stuart kings had encouraged schemes for colonization and trade in the new world. Returning voyagers had brought interesting descriptions from American shores. For centuries hardy captains from Bristol and other maritime ports had been to the fishing grounds at the Grand Banks and along the coast and returned with profitable catches for the home trade. Although there was then no accurate knowledge of the interior conditions of America, they had learned something of the natives, the products of the soil and the possibilities in the fur trade.

England's claim to the mainland of the new continent began with the discovery of the coast from Newfoundland to Florida in 1497-98 by John and





Sebastian Cabot. Many years later came the voyages of Sir Humphrey Gilbert; of Bartholomew Gosnold in 1602 to Cape Cod and vicinity under the patronage of the Earl of Southampton; of Capt. Martin Pring in 1605 at the request of British merchants; of Capt. George Weymouth to the Kennebec, sent by Lord Arundel and the Earl of Southampton; and of voyages in 1606 in the interest of Sir Ferdinando Gorges, Lord Chief Justice Popham, and others.

Two companies for settlement were chartered by James I in 1606; one at Plymouth, England, under the leadership of Sir John Popham, called the Northern Virginia Company, interested in the settlement of New England; and the other, with Sir Edwin Sandys at its head, known as the Southern or London Company, whose purpose was to colonize in Virginia. From the Southern Company in 1617, the Pilgrim Fathers at Leyden had obtained a grant for their settlement in the vicinity of the Delaware River. This was their objective when the Mayflower in her long voyage in 1620 reached the stormy weather and rough seas off the sandy shores of Cape Cod. Instead of continuing their course to the southward, they bore around the northerly point of the Cape and entered the sheltered Bay within. Then followed their landing at Plymouth.

The story of the Pilgrim Fathers is learned from the History of the Plymouth Plantation by William Bradford, one of their number, and through a recent concise and learned account by Arthur Lord. The Pilgrim Church at Scrooby, England, was organized probably about 1606; but because these worshipers withdrew wholly from the English Church, they were called "Separatists"; but perhaps their true name is "Independent," as their Congregation was an independent church body-politic. John Robinson, their leader, went with the Pilgrim Company to Holland, where there was to be found liberty of conscience and freedom of worship. It was from this colony at Leyden that the Pilgrim Fathers came to New Plymouth. The signing of the compact on the Mayflower, their struggle against





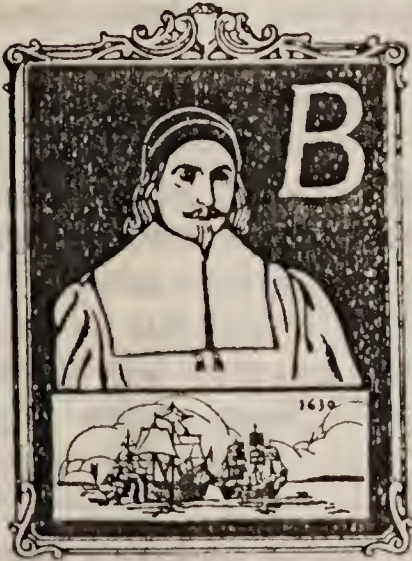
great difficulties, and their establishment of a civil and church government all show fundamental purposes like those in the foundations of the Bay Colony; and both plantations were later united in one Province and in one Commonwealth.

The Northern, or Plymouth Company, obtained a new charter in 1620, in place of the early grant in 1606, under the name of "The Council established at Plymouth, in the County of Devon, for the Planting, Ruling, and Governing of New England in America." Its chief managers were the Earl of Warwick, President, Capt. John Mason once Governor of Newfoundland, and Sir Ferdinando Gorges, fellow soldier of Raleigh, who was still desirous of settling a plantation for trade and fisheries. Their purpose was to derive profit, and to have the country occupied, giving colonists who were to be granted patents by the Company ultimate control in proprietorship. The original membership of forty was finally reduced to twenty-one, and the Company kept up a feeble existence until its patent was surrendered in 1635. The success of its most important grant to the Massachusetts Bay Company left little for it to do.

Meanwhile, several attempts to establish colonies on American soil had been made by Thomas Weston, at Weymouth in 1622, by Captain Wollaston at Quincy in 1625, by Roger Conant and others at Cape Ann in the same year. Samuel Maverick had fortified himself at Winnisimmet, now the region of Chelsea, William Blackstone had settled on the Shawmut peninsula, and there were a few scattered cabins at Nantasket and at the mouth of the Piscataqua. The Colony at Cape Ann began through the interest of some of the western merchants of England, whose object was the trade of fishing for cod and bartering for furs. In this settlement, some adventurers of Dorchester, England, were encouraged to take part by Rev. John White the famous preacher there called the "patriarch of Dorchester," who later was the inspiration and fervent supporter of the settlement in Massachusetts Bay. Roger Conant became the leader at Cape Ann, and



was "a religious, sober, prudent gentleman." It was in 1626 that White wrote to Conant, when he learned of the failure of his colony, and urged him not to desert his effort, promising that he would provide a patent, and provisions, and goods.



**B**UT a number of influential and wealthy Puritans had become interested in the various ventures, and in the recent purchase from the Council at Plymouth, called the Council for New England, by Sir Henry Rosewell, Sir John Young, Thomas Southcott, John Humfrey, John Endecott, and Symon Whetcombe, on March 19, 1627-28. The Royal Charter of March 4, 1628-29, was the crowning effort of more than a century of struggle looking toward a permanent settlement.

This Charter granted to twenty-six persons complete possession, as owners, so far as the crown of England could give title, which was wholly within the kingly prerogative of Charles I, of the territory which is now represented substantially by the present limits of Massachusetts, Plymouth Colony not included. These grantees were:

Sir Henry Rosewell  
 Sir John Young  
 Sir Richard Saltonstall  
 Thomas Southcott  
 John Humfrey  
 John Endecott  
 Symon Whetcombe  
 Isaack Johnson  
 Samuel Aldersey  
 John Ven  
 Mathewe Cradock  
 George Harwood  
 Increase Nowell

Richard Pery  
 Richard Bellingham  
 Nathaniell Wright  
 Samuel Vassall  
 Theophilus Eaton  
 Thomas Goffe  
 Thomas Adams  
 John Browne  
 Samuel Browne  
 Thomas Hutchins  
 William Pinchion  
 William Vassall  
 George Foxcroft

The Governor and Company of the Massachusetts Bay in New England, so called in the Charter, were





forbidden to make regulations repugnant to the laws of England; but with no condition of redress in case of wrong done to a planter or outside party; secondly, they were required to pay the crown one-fifth part of all ores of gold or silver found in the country, which amounted to nothing; and thirdly, after a period of seven years, there would be a duty of five per cent upon goods shipped from any part of the plantation to any other part of the dominions of England, "according to the ancient trade of merchants" as the text reads, but which were without any later results.

It was expressly made clear that the territory should not be subject to Parliament, but exclusively connected with the private personal property of the crown, as the words read, "to be holden of us, our heires and successors, as of our mannor of Eastgreenwich, in our Countie of Kent, within our realme of England, in free and common socage, and not in Capite nor by knightes service."

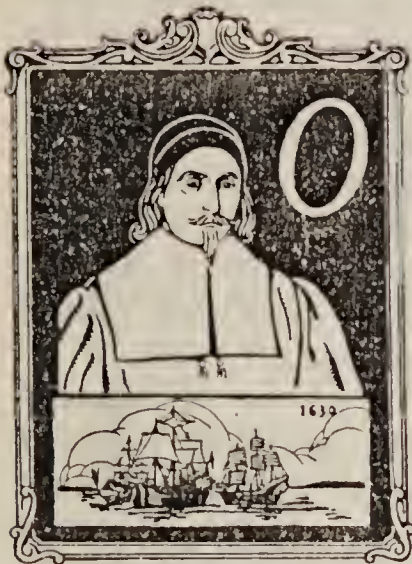
This was regarded as an enlargement of the grounds of one of the favorite residences of the King. This newly constituted corporation was given in addition such enlarged powers as to make the Company a body politic, in which the King bound himself and his heirs and successors to the end of time, not to encroach upon, but, on the contrary, to uphold the administration of the grantees in governing their territory, enjoining the same restrictions upon all subjects in his dominions.

The one thing dearer to the Puritan heart than free speech in Parliament, than security of personal property, or than personal liberty, was the freedom of the Gospel, in the words of the day. The exciting scenes of those last days of Parliament roused the Puritan to his greatest danger. King Charles promptly proceeded to raise Laud to the Bishopric of London, and intrusted him with the direction of ecclesiastical affairs. It was then in their darkest hour of despair that the Puritan leaders had succeeded in winning their chief goal, the Royal Charter, and had before them a New England in the west where religion and liberty could at last





have a safe and lasting abiding place. It seemed providential to them that all this had come to pass; and that there was before them the high promise of the fulfillment of their heart's desires.



NE person, whose inspiration had been constant in the cause, the Dorchester patriarch, John White the Puritan rector of Trinity parish there, had early and clearly foreseen the coming disaster. He had long persevered in his desire to encourage a retreat in the New World, and he had well earned his title of "Father of New England." No doubt that his vigorous efforts had much to do in paving the way toward the great result, a charter that established something more than a trading company under the earlier purchase of March 19, 1627-28. Mr. White's scheme began as soon as Charles I was crowned on March 27, 1625, in which he had an abounding hope of its final success; but he was not present in the constructive work needed in the building of the new government.

According to William Hubbard, in his narrative, through Mr. White's eager interest, the six grantees from the Plymouth Council, "were brought into acquaintance with several other religious persons of like quality in and about London, such as Mr. Winthrop, Mr. Johnson, Mr. Dudley, Mr. Cradock, and Mr. Goffe, and Sir Richard Saltonstall; who, being first associated to them, at last bought of them all their right and interest in New England aforesaid; and consulting together about settling some plantation in New England upon the account of religion, where such as were called Nonconformists might, with the favor and leave of the King, have a place of reception if they should transplant themselves into America, there to enjoy the liberty of their own persuasion in



matters of worship and church discipline, without disturbance of the peace of the kingdom, and without offence to others not like-minded with themselves, did at the last resolve, with one joint consent, to petition the King's Majesty to confirm unto the forenamed and their associates, by a new grant or patent, the tract of land in America forementioned."<sup>[1]</sup>

Captain Roger Clap, of Dorchester, who was born in Salcombe Regis, about twelve miles from Exeter near the seacoast, came with Rev. John Warham, first Minister of our Dorchester Church, sailing from Plymouth, England, on March 20, 1629-30, with "many Godly families," tells of the adventurers:

"I now return to declare unto you some of the wonderful works of God in bringing so many of his faithful servants hither into this wilderness, and preserving us and ours unto this day . . . For was it not a wondrous work of God, to put into the hearts of so many worthies to agree together, when times were so bad in England that they could not worship God after the due manner prescribed in his most holy word, but they must be imprisoned, excommunicated, etc.? I say that so many should agree to make humble suit unto one sovereign lord the King to grant them and such as they would approve of, a Patent of a tract of land in this remote wilderness, a place not inhabited but by very barbarous nations. And was it not a wondrous good hand of God to incline the heart of our King so freely to grant it, with all the privileges which the Patent expresseth? And what a wondrous work of God was it, to stir up such worthies to undertake such a difficult work; as to remove themselves, and their wives and children, from their native country, and to leave their gallant situations there, to come into this wilderness to set up the pure worship of God here; men fit for government in the magistracy, and in families, and sound, godly, learned men for the ministry, and others that were very precious men and women, who came in the year 1630.

Those that came then were magistrates; men of

[<sup>1</sup>] Young's *Chronicles of Mass.*, 29.





renown were Mr. Winthrop, Governor, Mr. Dudley, Deputy Governor, Sir Richard Saltonstall, Mr. Johnson, Mr. Rossitee, Mr. Ludlow, Mr. Nowel, and Mr. Bradstreet. Mr. Endecott came before, and others came besides those named. And then came famous ministers in that year, and afterwards; as to name some, Mr. Wilson, Mr. Warham, Mr. Maverick, and Mr. Phillips. In our low estate God did cheer our hearts in sending good and holy men and women, and also famous preachers of the word of God; as Mr. Eliot, Mr. Weld, Mr. Cotton, Mr. Hooker Mr. Bulkley, Mr. Stone, Mr. Nathaniel Rogers, and Mr. Ezekiel Rogers, Mr. Shepard, Mr. Mather, Mr. Peters, Mr. Davenport, Mr. Whiting, Mr. Cobbet, Mr. Hubbard, Mr. Brown, Mr. Flint, Mr. Thomson, Mr. Newman, Mr. Prudden, Mr. Norris, Mr. Huit, Mr. Street, and many others. Thus did God work wonderfully for his poor people here.”<sup>[1]</sup>



IN anticipation of their good fortune in obtaining their charter rights, the Governor and Company of Massachusetts Bay had held several meetings, and immediate preparations were being made for a large company to embark for the New England Plantation. Five ships were then fitting out for the voyage with needful material for the settlement; and plans were begun to send ministers over, not overlooking a copy of the patent, underseal, and the silver seal of the Company for use here.

In the summer of 1628, John Endecott had been sent to Salem to manage the affairs of the Company, sailing in June and arriving in September, and his party increased the little settlement to more than fifty persons. About three hundred more came over in 1629.

[<sup>1</sup>] Young's *Chronicles of Mass.*, 355.





On April 30, 1629, Endecott was formally chosen, by the Company in London, Governor of the Plantation in Massachusetts Bay, and also a council of seven men, who with the Governor were to choose a Deputy-Governor, and other needful officers, "for the peaceable and quiet government of the Plantation." A letter from Endicott, written on May 27, unfortunately not preserved, was read at the meeting of the Company in London on July 28, by the Governor Matthew Cradock, who at the same time "read certain propositions conceived by himself, viz. That for the advancement of the Plantation, the inducing and encouraging persons of worth and quality to transplant themselves and families thither, and for other weighty reasons therein contained, to transfer the government of the Plantation to those that shall inhabit there, and not to continue the same in subordination to the Company here, as now it is. This business occasioned some debate; but by reason of the many great and considerable consequences thereupon depending, it was not now resolved upon, but those present are desired privately and seriously to consider hereof, . . . and . . . to carry this business secretly, that the same be not divulged."

It has been suggested by Rev. Alexander Young, in his "Chronicles," that "they doubtless apprehended that measures might be taken to defeat their purpose, should it become known to those in authority." It was to be inferred that the charter and controlling government of this Company, like all other English corporations, should remain in England; but there was no specified place of meeting named in the Charter, nor statement of responsibility to the crown in carrying out its provisions.

The discussion of the subject was continued at meetings on August 28, 29; and on September 19, another letter from Governor Endecott was read, telling of the difference that had fallen out between himself and others in the Plantation. Their advice was sought as to the legality of the transfer of the patent and the government, as to the way and means of doing it,



and as to the fit time, and on whom to confer the government there. Finally on October 15 this transfer was voted by the Company to be made; and the next day it was decided that the government of persons should be in New England, and that the government of trade and merchandise should be in London, and also that the stock should be managed in both places.

It naturally followed at the meeting on the 20th of October that on account of the transfer the General Court of the Company must elect a new Governor, Deputy, and assistants. After settling the question as to Articles of Agreement between the planters and the adventurers, the Court proceeded to the election, "having received extraordinary great commendations of Mr. John Winthrop, both for his integrity and sufficiency as being one every [way] well fitted and accomplished for the place of Governor, did put in nomination for that place the said Mr. John Winthrop, Sir Richard Saltonstall, Mr. Isaac Johnson, and Mr. John Humfry; and the said Mr. Winthrop was with a general vote and full consent of this Court, by erection of hands, chosen to be Governor."<sup>1</sup> Young quotes of him that "he had an estate of six or seven hundred pounds a year, which he turned into money, and embarked his all to promote the settlement of New England. It is a very full evidence of the esteem in which he was held, that, when many gentlemen of character, some of them of noble alliance, were concerned in the same undertaking with him, he, by a general voice, was placed at their head." He says of himself, "I was first chosen Governor without my seeking or expectation, there being then divers other gentlemen who, for their abilities every way, were far more fit." John Humfrey was chosen Deputy-Governor, and Sir Richard Saltonstall and seventeen others were chosen as assistants.

The agreement entered into at Cambridge, England, on August 26, two days before the meeting of the General Court to discuss the question of the transfer, undoubtedly helped to settle the question. They

<sup>1</sup>Young's *Chronicles of Mass.*, 104.





“weighed the greatness of the work in regard of the consequence, God’s glory and the Church’s good,” with many other good considerations, “for the better encouragement of ourselves and others that shall join with us in this action, and to the end that every man may without scruple dispose of his estate and affairs as may best fit his preparation for this voyage.” It was further agreed that “we will be ready in our persons, and with such of our several families as are to go with us, . . . to embark for the said Plantation by the first of March next, . . . to inhabit and continue in New-England: Provided always, that before the last of September next, the whole Government, together with the patent for the said Plantation, be first, by an order of the Court, legally transferred and established to remain with us and others which shall inhabit in said Plantation.” This was signed by:

Richard Saltonstall  
Thomas Dudley  
William Vassall  
Nicholas West  
Isaac Johnson  
John Humfrey

Thomas Sharpe  
Increase Nowell  
John Winthrop  
William Pinchon  
Kellam Browne  
William Colbron

The name of John Winthrop first appears in the records of the General Court on September 19, 1629, and the first record of his presence was at the meeting on October 15, and on the following October 20, he was elected Governor in place of Matthew Cradock, who was named as Governor in the Charter.

As early as May, 1629, Winthrop had written out “Some Gen Conclusions showinge that persons of good use heere (yea in publike service) may be transplanted for the furtherance of this plantation in N: E:” While the question as to the authorship of this important paper has been raised as between Rev. John White and Mr. Winthrop, it would seem probable that the latter was in a position where he was staking his all, his fortune and his future, on this statement and the agreement which followed four months later; and he would naturally be in the position of acting on his





own initiative. Yet a copy of a similar paper indorsed "White of Dorchester his instructions for the plantation of New England" may be seen in the State Paper Office in London.

To Winthrop now was intrusted the responsibility of transferring the government of the Company to New England. Preparations for a large number to embark with the new Governor continued until the 22d of March, 1629-30, when the first four ships, the *Arbella*, the *Talbot*, the *Jewel*, and the *Ambrose*, were ready for the voyage. Governor Winthrop kept a Journal of the voyage and of later doings in New England until the end of his life in 1649. It begins "Anno Domini, 1630, March 29, Monday. Easter Monday. Riding at the Cowes, near the Isle of Wight, in the *Arbella*, a ship of three hundred and fifty tons." This remains with us, a rich treasure house of Massachusetts history. These ships and several others which followed brought in all to our shores nearly one thousand persons. Before the second year of the royal tyranny had run its course, it is estimated that seven hundred more had followed them.

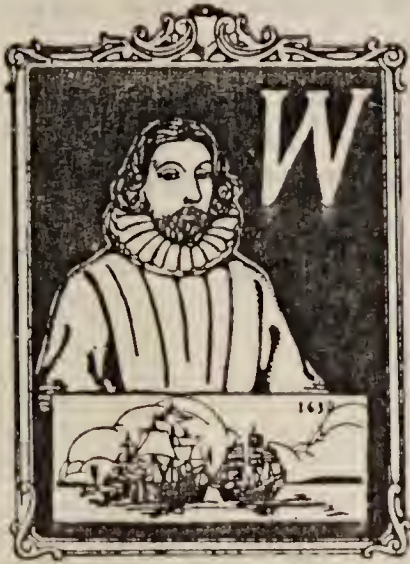
Nor did the remarkable emigration from the Old World stop here, for under the continued persecution of the Puritans by Archbishop Laud, more than eighteen thousand more came over to New England in the following decade. They were in great part men of professional and middle classes, some of large landed estates, and more than one hundred zealous and able clergymen who were largely graduates of the University of Cambridge, with some graduates from the University of Oxford. But Winthrop and his company may be considered as among the founders of our great nation, for they laid great principles at the foundation of our Church, State and American institutions.

If any one doubts, says one writer,<sup>1</sup> the influence of this first generation on the destiny of our country, "let him try to construct the story of Massachusetts Bay, suppressing the presence and the influence, in person and through their posterity, of Winthrop and Saltonstall and Bradstreet; of Wilson and Cotton, and



Mather; of Eliot and Norton and Shepard; of Nathaniel Ward and Sir Harry Vane; of Harvard and Dunster and Chauncey; and the scores of other less conspicuous men, who were still most essential parts of the character and growth of town by town, the whole settlement over."<sup>1</sup>

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WINTHROP and his associates reached Charlestown in the summer of 1630. Boston was settled, Sir Richard Saltonstall and his party, with their minister Rev. George Phillips, found their abiding place at Watertown. Other congregations came later and settled in shore towns; and the inland settlements of Dedham and Concord were begun in September, 1635. Valuable libraries were brought; and the early library in the possession of the Massachusetts Bay Company, sent over in April, 1629, largely selected by Rev. Samuel Skelton, of Salem, was probably placed first in Governor Endecott's house there; and then after the arrival of Winthrop finally found its way into the Town House in Boston, where it was destroyed in the great fire of 1711. Free public schools were soon established, and in 1647 the General Court passed the important law establishing our public school system.

One great danger to the Colony, was the alarm caused in 1660 on the accession of Charles II to the throne, when he began an effort to have the Bay Colony forfeit its charter. This alarm was not over when a few years later he sent Commissioners here to try to carry out his purpose. This effort failed through the ingenious and tactful resistance of the sturdy men in authority. Nor did the matter stop there. After a period of nearly twenty years Quo Warranto proceedings were begun in London in 1683, which

[<sup>1</sup>] Franklin Bowditch Dexter in *Proc. Mass. Hist. Soc.* XVII, 348.







resulted in the final recall of the Charter. A period of nine years followed before the second Charter was granted in 1692, making the colony a Province of Great Britain.

The period of the first generation in New England has been considered its golden age; its character and value have entered with telling effect into all of the constructive work of our beloved country. It was William

Stoughton, in his election sermon of 1668, who said that "God sifted a whole nation that

He might send choice grain into the Wilderness." So it may be a fitting

sentiment to offer in closing: all

honor to the Founders

and Patriots of

America.



*Initial letters on pages 1 and 15 of Winthrop, on pages 3 and 10 of Sir Richard Saltonstall, and on pages 6 and 8 of John Endecott, together with headpiece and tailpiece, are by Albert W. Ellis.*

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